

## **MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**

8 March 2004

**PRESENT:** Nancy Amato, Chairman  
Cynthia A. Herman, Vice Chairman  
Noreen A. O'Connell, Member  
Gary Daniels, Member  
Len Mannino, Member  
Katherine E.L. Chambers, Town Administrator  
Darlene J. Bouffard, Recording Secretary

**1.CALL TO ORDER:** Chairman Amato called the meeting to order at 5:30 p.m.

**2.MINUTES:** The final minutes of the January 19, 2004 Budget & Bond Hearing meeting were presented to Chairman Amato for review. Chairman Amato requested to change "statue" to "statute". Vice-Chairman Herman moved to approve the minutes of January 19, 2004 as amended. Selectman Daniels seconded. All were in favor. The final minutes of the February 9, 2004 meeting were presented to Chairman Amato for review. Vice-Chairman Herman moved to approve the minutes of February 9, 2004. Selectman Daniels seconded. All were in favor. The final minutes of February 23, 2004 were presented to Chairman Amato for review. Selectman O'Connell moved to approve the minutes of February 23, 2004. Vice-Chairman Herman seconded. All were in favor.

### **3. REPORTS OF BOARDS & SPECIAL COMMITTEES:**

**-Board of Selectman Goals.** There is nothing new to report.

**-Conservation Commission.** There is nothing new to report.

**-DO-IT Committee.** There is nothing new to report.

**-Facilities Committee.** There is nothing new to report.

**-Heritage Commission.** There is nothing new to report.

**-Impact Fee Committee.** There is nothing new to report.

**-MACC Base.** There is nothing new to report.

**-MIDC.** There is nothing new to report.

**-NRPC Update.** There is nothing new to report.

**-Personnel Committee.** There is nothing new to report.

**-Planning Board.** There is nothing new to report.

**-Recreation Commission.** There is nothing new to report.

**-Recycling Committee.** There is nothing new to report.

**-Regional Water District.** There is nothing new to report.

**-School Board.** There is nothing new to report.

**-Solid Waste Committee.** There is nothing new to report.

**-Zoning Board.** There is nothing new to report.

There were no other reports for this evening.

#### 4. APPOINTMENTS:

**6:00 p.m. - Highway Safety Grant Funding.** The Highway Safety Committee met on February 18, 2004 to review the grant information for the NH Highway Safety Funds. Based upon input from Police Chief Douglas, on the lack of Town matching funds, the committee recommended the Town not pursue any funds through this program this year. This is a worthwhile program and Chief Douglas will work to incorporate matching fund money in the budget for next year.

**6:15 p.m. - Revision to Ambulance Fee Schedule.** Eric Schelberg, Director of Milford Ambulance Service, requested the Board of Selectman to authorize a revision to the current Ambulance Fee Schedule. In the ambulance fee structure, Cardiac Monitoring has always been billed separately; however, effective January 2004, Medicare has included its reimbursement for cardiac monitoring as part of its base rate, rather than an itemized service. Other insurance companies are now adopting this same rate structure and Mr. Schelberg would like to be able to recoup as much as possible. Over \$300 in revenue has been lost in 2004 at this point and he would like to prevent future losses. Mr. Schelberg requests the base rate for Advance Life Support (ALS) be increased to \$402 from its current cost of \$275, to include the cardiac monitoring. Vice-Chairman Herman asked if this increase keeps Milford in line with surrounding town costs for this service. Mr. Schelberg responded that Milford is in the top 3/4 range for this service. Selectman O'Connell moved to approve the fee increase. Vice-Chairman Herman seconded. All were in favor.

**6:30 p.m. - Presentation of Certificates of Appreciation to the Fire Wards.** Due to the Garden Street School fire last night, this presentation will be rescheduled at another time.

#### 5. UNFINISHED BUSINESS:

**-Proposed Amendments to the Personnel Guidelines RE: Requests for Leave Without Pay.** The revisions to Chapter 4 - Time Off Benefits of the Personnel Guidelines were reviewed by Board of Selectman members. There were no further revisions or discussion. Vice-Chairman Herman moved to accept Chapter 4 as revised. Selectman Daniels seconded. All were in favor.

**-Ratification of an e-mail Poll RE: Telecommunications Provider Lease.** The modification to Section 22C of the Telecommunications Provider Lease as requested at the last Board of Selectman meeting was prepared by Town Attorney Bill Drescher. After the review, Town Administrator Chambers provided the modification via e-mail to all Board of Selectman members for approval. All Board of Selectman members concurred with the changes to Section 22C, requiring ratification of the e-mail poll. Selectman Daniels moved to ratify the e-mail poll relative to changing the lease with US Cellular, Section 22C. Selectman O'Connell seconded. All were in favor.

**-Appointment of Study Committee - Tax Rate Stabilization.** The individuals who have volunteered to be a part of the Tax Rate Stabilization Committee are Diane Fitzpatrick, Bill Parker and Holleigh Tlapa. Selectman O'Connell asked how many study committees might be studying the same things and do some committees overlap? Town Administrator Chambers explained that the Planning Board has plans that this committee may want to be a part of regarding tax stabilization. Bill Parker, Planning Director, noted that for the next 2-3 months the Planning Board has a pretty busy schedule having to do with growth stabilization. In April, he will try to get a meeting together with members of the School Board, Planning Board, and Board of Selectman and inform everyone where the Planning Board stands. Once initial data is collected, processed and can be distributed, he will call that meeting. Vice-Chairman Herman asked if it would be good to have someone new (such as Holleigh) attend the Planning Board meetings. Selectman O'Connell will invite her to the Planning Board meetings.

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**-Appointment of PEG Access Channel Committee.** Volunteers for the PEG Access Channel Committee are as follows: Rosie Deloge, Tim Finan, Shane Hooker, John Leslie, Joe Pellitteri, Chris Thompson, ATC Program Advisory Committee Members (TBA) and ATC Steering Committee Members (TBA). Town Administrator Chambers asked if the Board of Selectman wanted to formulate a charge for the PEG Access Channel committee. All members concurred that the Board of Selectman should define the roles of the committee. Vice-Chairman Herman moved to table the charges to the next Board of Selectman meeting. Selectman Daniels seconded. All were in favor.

**-Selectman Amato Recognized For Her Service.** Town Administrator Chambers presented Chairman Amato a cake in recognition of her for her service on the Board of Selectman since 2001. Town Administrator Chambers thanked Chairman Amato for her service and dedication to the Town. Chief Pauley presented Chairman Amato with a gift from the Fire Department. Chairman Amato indicated she has enjoyed working with everyone and she feels everyone works really hard for the Town. Vice-Chairman Herman added that Chairman Amato has done a great job. She thanked her for her hard work.

**-2003 Board of Selectman Goals Wrap-Up.** Chairman Amato reviewed the goals for 2003 for the Board of Selectman and indicated the status of each:

Impact Fees: There have been no new impact fees this year, but there are some goals for the future.

Long Range Community Facilities Master Plan: This committee was established and is ongoing.

Operations Manual for the Town: This has been an ongoing process that will continue to be modified. Vice-Chairman Herman indicated most of the job descriptions were pretty accurate. The progress made was impressive. Ruth Bolduc and Vice-Chairman Herman have been working together throughout the year. Town Administrator Chambers indicated this manual will probably be on the next list of goals for the Board of Selectman.

Communication to the Public and Staff: This has been achieved through many different ways including calendars of meetings, the website and review schedules. Chairman Amato asked the status of the website. Town Administrator Chambers said as long as the current volunteer wants to continue, it is going well. Selectman Daniels indicated he received a lot of positive feedback on the majority and minority reports because people feel more involved in the process.

**-Perambulation of Town Lines.** Citizen volunteer Paul Gendron was very impressed with the data already available and feels the perambulation of Town lines should go smoothly. He has made an appointment to meet with the Board on March 22.

**-Two Questions from Facilities Committee.** Awaiting March 22, 2004 meeting.

**-Appointment of Employer Representative to NH School Health Care Coalition Membership Council.** Awaiting March 22, 2004 meeting.

**-Discussion of the Possibility of the Board of Selectman Meeting Weekly Starting in March.** Awaiting March 22, 2004 meeting.

**-Status of Osgood Pond.** Town Administrator Chambers received information from Adam Burnett of the Army Corps of Engineers explaining the funding for restoration projects such as Osgood Pond is being limited to the \$25 million nationwide cap. This limitation puts Osgood Pond in a "delayed" status. The recommendation from Mr. Burnett is that the Town to notify our Congressman and Senators and request that Congress increase the funding cap to \$50 million. Selectman Daniels moved to ask our State Representatives to sponsor a resolution to Congress asking for the money to be restored in order to complete the Osgood Pond project. Vice-Chairman Herman seconded. All were in favor.

**-Town Wrecker Rotation Policy.** Town Administrator Chambers has completed a draft of the new policy proposal and will pass it on to Chief Douglas for review.

**-Non-Public Session - Negotiations.** Town Administrator Chambers informed the Board there was nothing new to discuss at this time.

**6.NEW BUSINESS.**

**-Ten Year Transportation Plan.** Steve Williams of NRPC, forwarded the Ten Year Transportation Plan to the Board of Selectman. The railroad crossings are still on the plan. Bill Parker explained that the Route 101/Route 13 planning was to relieve the oval congestion and can include areas outside of the Oval. Chairman Amato asked if there has been any change on the highway since the rumble strips were installed. Chief Douglas responded there have not been any accidents since that time. Town Administrator Chambers indicated that the Town will send a letter to let NRPC know of any concerns the Board of Selectman may have on the schedule,. Chairman Amato thinks the Route 101 improvements should be looked at again.

**-Amendments to the Town of Milford Deferred Compensation Plan with AIG VALIC.** Ruth Bolduc informed the Board of Selectman through a memorandum, that the IRS issued new regulations under Section 457 of the Internal Revenue Code which governs deferred compensation plans maintained by state and local governmental employers. The new regulations provide that loans can now be offered to plan participants. In order to add this loan provision, the Board of Selectman needs to vote to amend the plan with AIG VALIC. Town Administrator Chambers explained this 457 plan is similar to a 401(k) plan, from which plan participants may also borrow. If the Town wants to allow employees to do this, the Board of Selectman needs to decide and then let employees know. The transactions are handled directly with the company and are not handled by the Town. If the employee does not pay back the loan, it will affect their retirement plan. Selectman Mannino asked why we would not allow employees to borrow from their own retirement fund. Selectman Mannino is not comfortable with telling people they cannot borrow from their own retirement fund. Rose Evans indicated the 401(k) plans have had this provision in place for many years and people are better off to borrow from themselves than someone else; but hardship must be demonstrated. Vice-Chairman Herman feels as long as the Town does not need to administer this, it would be fine. Selectman Daniels moved to allow Town Administrator Chambers to sign the amendment to the plan document to allow the AIG VALIC 457(b) plan to provide loans to plan participants. Selectman Mannino seconded. All were in favor.

**-Requested Reconsideration of the Kaley Park Sports Fields.** A letter was received from Dan Sinkiewicz asking for the Board of Selectman to reconsider the proposal for new sports fields at Kaley Park. Selectman O'Connell moved to take under advisement. Selectman Daniels seconded. All were in favor.

**-Renewal of License to Operate a Junk Yard.** Harold L. Webster, of North River Road in Milford, has requested renewal of his License to Operate a Junk Yard from March 2004 until March 2005. Selectman Daniels moved to grant the license renewal. Selectman Mannino seconded. All were in favor.

**-Discussion of Security Deposit for the Steinway Piano.** A request was received from the Harriet Wilson Project to use the Steinway Grand Piano for the Harriet Wilson Project Event being held May 2, 2004 at the Town Hall. Town Administrator Chambers indicated the Board of Selectman reserves the right to request a \$500 deposit for use of the piano. A professor of music at Berklee College of Music in Boston, Lawrence Watson, will be the pianist for the event. Town Administrator Chambers recommended the Board of Selectman not to request the deposit, as the pianist is a professional. Selectman O'Connell asked what the Town does with the money if the deposit is requested. Town Administrator Chambers indicated the check is deposited into an account, and if there is no damage to the piano during its use, the deposit is returned to the group. If the piano is damaged, the money is used toward the repair. Vice-Chairman Herman asked if the people who use the piano have it tuned before it is used. Town Administrator Chambers responded the Town has it tuned twice a year, but usually professionals want it tuned right before a performance. Chairman Amato asked if the pianist would pay to have it tuned prior to a performance, to which Town Administrator Chambers responded yes. Vice-Chairman Herman asked if this group is non-profit. Chairman Amato said this group is being sponsored as a Town function by the Heritage Commission. Selectman O'Connell moved to take no action at this point. Selectman Mannino seconded. All were in favor.

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**-Reappointment of Zoning Board of Adjustment Members (2).** Two current Zoning Board of Adjustment members, Robert Levenson and Kathleen Maher, have requested reappointment for a 3-year term. Selectman O'Connell moved to reappoint these members. Vice-Chairman Herman seconded. All were in favor. Selectman Daniels asked if appointed members are usually asked to come before the Board. Town Administrator Chambers indicated these are not new members (who usually are asked to come before the Board) but these two individuals are sitting members who are not usually asked to come before the Board.

**-Execution of Water User Fees and Sewer User Fees for the Month of March 2004.** The Water User and Sewer User fees for the month of March 2004 were unanimously approved on motion made by Selectman Daniels and seconded by Selectman O'Connell as follows:

Water Users:	\$ 86,977.33
Sewer Users:	\$107,890.78

**-Request for Donation - Animal Rescue League of NH.** Scot Pollock of the Animal Rescue League of NH has requested a cash donation to cover costs of medication and veterinary care at the Bedford Facility, due to an outbreak of infection causing the shelter to close temporarily to incoming animals. Selectman Daniels moved to take this under advisement. Selectman Mannino seconded. All were in favor.

**-Non-Public Session - Personnel.** Vice-Chairman Herman moved to enter into non-public session at 7:25 p.m. to discuss a personnel issue. Selectman O'Connell seconded. All members were polled individually and assented to go into non-public session to discuss personnel issues. After discussion, Selectman O'Connell moved to come out of non-public session at 8:17 p.m. Selectman Daniels seconded. All were in favor. After coming out of non-public session, the Board announced they have voted to ask Town Administrator Chambers to ask the Facilities Master Plan Committee to consider the following when making a determining action of the needs for fire and ambulance facilities: 1) the departments as they exist today, 2) the privatization of the ambulance service, and 3) combining two departments. Further, the Board tasked the Town Administrator with looking at a re-organization of the Town Clerk / Tax Collectors Department for 2005; and with returning a report and recommendation to the Board.

### 7. ITEMS NOT ON THE AGENDA.

**-Non-Public Session - Garden Street School Fire Briefing.** Vice-Chairman Herman moved to enter into non-public session at 5:44 p.m. for the purpose of a briefing on a criminal investigation. Selectman O'Connell seconded. All members were polled individually and assented to go into non-public session to discuss the Garden Street School Fire status. After discussion, Selectman O'Connell moved to come out of non-public session 6:25 p.m. Selectman Daniels seconded. All were in favor. After the non-public session, it was announced by Chairman Amato that the Board of Selectman met with an investigator from the State Fire Marshall's office, John Raymond, who is leading the investigation. All accidental causes for the fire have been ruled out. The investigation is ongoing and will last about one week, but probably longer. At this time, there is no connection between the voting on Tuesday and the incident that occurred. Chairman Amato asked for questions or comments. Peggy Miller of the Cabinet, indicated that it was stated that there would be an investigation with many people being interviewed and she asked how extensive that will be. Chairman Amato responded that this is a criminal investigation, so there is no further comment at this time.

**-VEAR Project.** Selectman O'Connell indicated the VEAR project information regarding the sale of the BROX industrial property is being circulated. Mr. Vear will attend an April MIDC meeting to discuss getting the property on the market. A committee will be established to include many staff members (Bill Parker, Rose Evans, Town Administrator Chambers, Greg Heyn) to put together a proposal to create a TIF (Tax Increment Financing) District.

### 8. INFORMATION ITEMS.

**-K-9 Training.** Chief Douglas of the Milford Police Department, informed the Board of Selectman that Officer Dean Hardwick and Zed have successfully completed K-9 Drug Training, taken from October 2003 until January 2004.

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**-Proposed 2004-2005 Board of Selectman Meeting Schedule.** The proposed meeting schedule was presented for consideration and will be discussed further at the March 22 meeting with new Board of Selectman members.

**9. ANNOUNCEMENTS.**

**-Next BOS Meeting.** The next regular meeting of the Board of Selectmen will be Monday, 22 March 2004, at 5:30 p.m.

There being no further business to come before this Meeting, the Board adjourned at 8:20 p.m.

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Chairman

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Vice Chairman

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